ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS-INTERNATIONAL, INC. (APCO) VIRGINIA CHAPTER

SUBJECT OF

PUBLIC

D. Terry Hall, President York County Emergency Communications Post Office Box 532 Yorktown, VA 23690 (757) 890-3620 hallt@yorkcounty.gov

Bill Agee, President Elect County of Franklin 70 East Court St., E911 Rocky Mount, VA 24151 (540) 483-3039 billagee@franklincountyva.org

Linda Goodridge, Vice-President Stafford County Sheriff's Office Post Office Box 189 Stafford, VA 22555 (540) 658-4408 lgoodridge@co.stafford.va.us

Carol Adams, Secretary York County Emergency Communications Post Office Box 532 Yorktown, VA 23690 (757) 890-3656 adamsc@yorkcounty.gov

Melinda Bramley, Treasurer City of Virginia Beach 2509 Princess Anne Road Virginia Beach, VA 23456 (757) 427-4028 mbramley@vbgov.com

Tom Hanson,
Executive Board Member
Charlottesville/UVA/Albemarle
ECC
2306 Ivy Road
Charlottesville, VA 22903
(434) 971-1765
thanson@albemarle.org

Jim Junkins, Member at Large Harrisonburg-Rockingham Emergency Communications Ctr. 101 N. Main Street, Floor 5 Harrisonburg, VA 22802 (540) 434-2006 jljunkins@hrecc.org

Scott Chandler, Immediate Past President Eastern Shore of Virginia 9-1-1 Commission Post Office Box 178 Onancock, VA 23417 (757) 787-5888 schandler@esva911.org December 1, 2005

Dear Virginia Wireless Services Board Member,

Since the September meeting of the Virginia Wireless Services Board, the Virginia Chapter of APCO made its concerns of proposed legislative changes known to this Board in a letter dated November 8, 2005. Since that time, we've had the opportunity to review the suggested legislative changes with staff, Chapter members and the Executive Board for the Virginia Chapter of APCO.

We appreciate the consideration of this Board in providing us the opportunity to give input into this process. APCO was represented at the additional Wireless Board Legislative Sub-Committee meeting held on Tuesday, November 29, 2005 and, again, appreciate that opportunity.

We continue to endorse the original charge of this body that was the deployment of wireless E-911, the remaining wireline E-911, and cost recovery for PSAPs and CMRS providers, and public education.

Outlined below are our specific comments and/or positions:

1. Restructuring of the Wireless Funding Process

APCO position: We support the restructuring of the Wireless Funding Process with the changes listed below:

- a. A 60/40 initial split in the distribution of funds while insuring *every* PSAP is funded, today or in the future, no less than their current funding. This initial distribution to be based upon today's formulas under any restructuring. To insure equitable PSAP funding, any shortfalls to insure a continuance in equitable PSAP funding should be taken from available monies for grants.
- b. A Grant sub-committee be established and, working with staff, insure the makeup of this committee to reflect representatives from Police, Fire, Sheriff, APCO and NENA professional organizations and that the selection be taken from individuals recommended to serve as put forth by these organizations.
- c. This same Grant sub-committee as identified in (b) above, with staff, recommend guidelines for the submission of Grants and establish criteria for the grant process, being flexibly sufficient to provide 100% funding for necessary upgrades of existing equipment originally purchased for wireless deployment.

d. Expenditures of the Board should continue to focus on wireless activities.

There are too many inequitables and there is no assurance that every PSAP would receive the funding they received today.

It is obvious from discussions among PSAP managers and local government officials that any increased funding to support the recovery of additional costs borne in providing wireless E-911 services would be welcomed. Proposed changes above reflect concerns expressed as to whether the proposed distribution, combined with any potential changes in growth of the fund, could reduce the funding now received. These potentials might be minimized by increasing the amount of funding available to a minimum of 60%, with the split reviewed and adjusted annually to ensure every PSAP maintains at least the level of funding they received in the 2006 funding year.

In your fiduciary role of administering wireless E-911 funds, you must assure that the funds are being used for their intended purpose; as recipients of public funds, PSAP's and localities must remain accountable for reporting both workload and financial information for audit purposes.

2. Addition of VoIP deployment

"Add the responsibility for VoIP E-911 to the duties of the Board mirroring the role the Board has with the deployment of wireless E-911." (Taken from FY2005 Wireless E-911 Service Board Draft Annual Report)

APCO position: We do not support legislative changes, as proposed.

Any surcharge applicable to VoIP providers (as like to wireline and wireless surcharges) should remain a local issue and funding should follow the guidelines of wireline currently in place.

In light of its potential impact on wireline service volume, we believe that VoIP E-911 should be locally managed and that any future taxation or voluntary payments in lieu thereof by VoIP providers should be routed to localities in a manner similar to wireline funding. We also support the Board's Legislative Committee recommendation that VoIP funding remain a local issue and that funding should go directly to the locality.

3. Statewide IP-based network

"Add the responsibility for the deployment of a statewide IP-based network to the duties of the Board and seek general fund support for this effort." (Taken from FY2005 Wireless E911 Service Board Draft Annual Report)

APCO position: We recommend tabling this matter and not taking current legislative action on it. Any action taken by this Board to involve itself in an IP-based network should be to the extent that it "promotes and assists" in such an activity.

4. Publish Best Practices

"Add the responsibility to publish best practices for PSAPs and wireless service providers utilizing the work of the E-911 professional organizations, when possible." (Taken from FY2005 Wireless E-911 Service Board Draft Annual Report)

APCO position. We support this Board acting as a source of information by endorsing and promoting existing Best Practices established by professional organizations. In realizing the recommendation to be made by the Wireless Legislative Sub-Committee, we would support the establishment of a sub-committee of PSAP representatives to review and recommend "best practices" and would again request that the Virginia Chapter of APCO have the opportunity to put forth names of individuals to serve on such a committee.

As stated previously, the Commonwealth of Virginia as leaders in wireless E911 deployment would be remiss if it did not put forth published best practices.

Best practices, and like documents, are available for PSAPs and easily accessible in today's climate from numerous organizations that include NFPA (National Fire Protection Association), ASTM (American Society for Testing & Materials), CALEA (Commission for Accreditation on Law Enforcement Agencies, Inc.), NENA (National Emergency Number Association), APCO (Association of Public Safety Communications Officials International, Inc.) and DCJS (Department of Criminal Justice Services).

In addition to the above recommendations, we support the removal of a CMRS provider on the Board to be replaced with a PSAP representative and the addition of a PSAP representative. We do recommend that, with the make-up of the Board, professional organizations be represented and that in doing so, they be contacted to put forth names of individuals for appointment. These are professional organizations named in Section 56-484.13 of the Code of Virginia, as amended (including: Virginia Department of Emergency Management (1), Virginia State Police (1), Local Exchange Carrier (1) providing E-911 service, Wireless Service Providers (2), County/City/Town PSAP Directors or Managers (2), Medical Services Manager (1), Finance Officer of County/City/Town (1), Chief of Police (1), Virginia Sheriff (1), Fire Chief (1), and Emergency Medical Service Manager (1).

We thank you for the opportunity to present our position on such crucial public safety issues. Together, we can assure that Virginia's citizens receive the levels of service they expect and deserve and that Virginia's public safety communications needs are adequately addressed.

Sincerely,

D. Terry Hall, President Virginia Chapter of APCO Cc: Virginia Chapter of NENA

Virginia State Sheriffs Association

Virginia Fire Chiefs Association

VACO

VML

Virginia Police Chiefs Association

Virginia Professional Firefighters

Virginia State Firefighters Association

International Association of Arson Investigators/VA Chapter

Virginia Association of Volunteer Rescue Squads

Virginia Association of Governmental EMS Administrators

Virginia Association of HAZ MAT Response Specialists

Virginia Fire Prevention Association

Virginia Fire Service Council

Steve Marzolf